

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

Case No. 14-CR-26

DESHAUN D. PATRICK,

Defendant.

DECISION AND ORDER

Defendant Deshaun Patrick (Patrick) motions the Court to reduce his sentence pursuant to Amendment 782 of the United States Sentencing Guidelines which lowered the penalties for most drug offenses by reducing most offense levels on the 2D1.1 Drug Quantity Table by two levels. 18 U.S.C. § 3582(c) allows the Court to reduce a defendant's sentence if (1) the U.S. Sentencing Commission has lowered the applicable guideline range, and (2) the reduction is consistent with applicable policy statements issued by the Commission.

Unfortunately for Patrick, he does not meet the first criteria for a reduced sentence. As a career offender his sentence was determined under Section 4B1.1 of the Guidelines, and he is therefore not eligible for relief under the Amendment. Because Amendment 782 only amended Section 2D1.1 of the Guidelines—not Section 4B1.1—his offense level remains the same.

Accordingly his motion must be denied.

IT IS HEREBY ORDERED THAT:

Patrick's motion for reduction of sentence (ECF No. 38) is **DENIED**.

Dated at Milwaukee, Wisconsin, this 3rd of December, 2015.

BY THE COURT:


HON. RUDOLPH T. RANDA
U.S. District Judge